

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

STATE OF TEXAS, *et al.*,)
Plaintiffs,)
v.) No. 1:14-CV-254
UNITED STATES OF AMERICA, *et al.*,)
Defendants.)

)

DEFENDANTS' UNOPPOSED MOTION TO FILE EXCESS PAGES

In connection with the Court's Order of July 7, 2015, *see* ECF No. 281, Defendants hereby move for, and respectfully request, leave to file an Expedited, Unopposed Motion to Cancel August 19 Hearing Or, In the Alternative, to Excuse Secretary Johnson and Other Defendants and to Substitute Witnesses, and Memorandum in Support that is fifty (50) pages in length. Plaintiffs have indicated that they do not object to the relief requested in this motion.

The Court's July 7 Order requires the parties to file a Joint Status Report by July 31, schedules a hearing for August 19, and requires each individual Defendant, which includes the Secretary of the Department of Homeland Security, a cabinet-level agency, to "attend and be prepared to show why he or she should not be held in contempt of Court." ECF No. 281 at 2. In addition to the Joint Status Report, Defendants are filing in response an Expedited, Unopposed Motion to Cancel August 19 Hearing Or, In the Alternative, to Excuse Secretary Johnson and Other Defendants and to Substitute Witnesses, and Memorandum in Support that is thirty (30) pages in excess of that

permitted by the Court's Civil Procedures 6(H)(1). These additional pages are necessary for Defendants to fully address the important issues raised by the Court's July 7 Order.

For the foregoing reasons, and without objection from Plaintiffs, Defendants respectfully request leave to file a fifty-page Expedited, Unopposed Motion to Cancel August 19 Hearing Or, In the Alternative, to Excuse Secretary Johnson and Other Defendants and to Substitute Witnesses, and Memorandum in Support.

Dated: July 31, 2015

Respectfully submitted,

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/s/ Daniel Schwei

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Counsel for Defendants

CERTIFICATE OF CONFERRAL

Pursuant to Local Civil Rule 7.1.D, undersigned counsel hereby certifies that counsel for Plaintiffs, Angela Colmenero, was contacted regarding Plaintiffs' position on the foregoing Motion to File Excess Pages, and indicated that Plaintiffs do not object to the relief sought in this Motion.

/s/ Daniel Schwei
Counsel for Defendants

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Motion to File Excess Pages has been delivered electronically on July 31, 2015, to counsel of record via the District's ECF system.

/s/ Daniel Schwei
Counsel for Defendants